

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

TONY KIM WHITE,

Petitioner,

v.

JEFFREY A. UTTECHT,

Respondent.

CASE NO. C15-5495 BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation (“R&R”) of the Honorable David W. Christel, United States Magistrate Judge. Dkt. 17. The Court having considered the R&R and the remaining record, and no objections having been filed, does hereby find and order as follows:

- (1) The R&R is **ADOPTED**;
- (2) Petitioner’s petition for habeas corpus is **DENIED without prejudice**; and
- (3) The issuance of a certificate of appealability is **DENIED**.

Dated this 6th day of January, 2016.



BENJAMIN H. SETTLE
United States District Judge